

**IN THE UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

In re:)	Chapter 11
)	
RALPH ROBERTS REALTY, LLC, <i>et al.</i> ¹)	Case No. 12-53023
)	(Jointly Administered)
)	
Debtors.)	Judge Thomas J. Tucker
)	

OBJECTION TO CLAIM NO. 20 OF DOROTHA ROBERTS

Ralph Roberts Realty, LLC and Ralph R. Roberts (the “Debtors”), by and through their counsel, Gold, Lange & Majoros, P.C., hereby object to claim number 20 of Dorothea Roberts pursuant to 11 U.S.C. § 502(b)(1) and Fed. R. Bankr. P. 3001, 3002, 3007, and 9014. In support of the objection, the Debtors state as follows:

Procedural Basis

1. This a contested matter brought pursuant to 11 U.S.C. § 502(b) and Fed. R. Bankr. P. 3001, 3002, 3007 and 9014 to disallow improper claims filed against the bankruptcy estate.

2. This Court has jurisdiction over this matter pursuant to 28 U.S.C. §§ 157(b)(2)(B) and 1334.

Facts

3. On May 25, 2012, the Debtors filed voluntary petitions under Chapter 11 of Title 11 of the United States Code.

4. The Court served creditors with notice to file claims pursuant to Fed. R. Bankr. P. 3002(c) on June 1, 2012. The notice set forth September 24, 2012 as the last date for filing claims against the bankruptcy estate.

¹ This case is jointly administered with the case of Ralph R. Roberts, Case No. 12-53024.

5. The Debtors' Fifth Amended Combined Plan of Reorganization and Disclosure Statement (the "Plan") was confirmed by order entered on February 11, 2013. Under the terms of the Plan, the Debtors have the exclusive right to object to claims and compromise such claims objections on behalf of the bankruptcy estates. Further, under the terms of the entered order confirming the Plan, the Debtors agreed to object to the filed claims of Mrs. Roberts.

Claim Nos. 20 of Dorotha Roberts

6. Dorotha Roberts filed claim no. 20 (the "Claim") against Ralph Roberts Realty, LLC on September 24, 2012. The Claim asserted general unsecured liability on the part of Debtor Ralph Roberts Realty, LLC in the amount of \$356,192.22

7. On its face, the Claim is devoid of any evidence of the Debtors' liability to Mrs. Roberts, which asserts that the Claim was incurred on account of "Money loaned for Real Estate". Further, Mrs. Roberts attached no exhibits or other evidence that would indicate the basis of the Debtors' liability to Mrs. Roberts.

8. The Debtors have reviewed the Claim and their books and records and have determined that they have no liability to Mrs. Roberts and that therefore the Claim is unenforceable and must be disallowed.

WHEREFORE, the Debtors respectfully request that this Court sustain this objection to claim number 20 of Dorotha Roberts and award such other relief as this Court deems just.

Respectfully Submitted,

GOLD, LANGE & MAJOROS, P.C.

Dated: February 11, 2013

/s/ Hannah Mufson McCollum
HANNAH MUFSON MCCOLLUM (P67171)
Attorneys for the Debtors

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Southfield, Michigan 48075
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Debtors.)	Judge Thomas J. Tucker
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ORDER GRANTING OBJECTION TO CLAIM NO. 20 OF DORORTHA ROBERTS

This matter having come before the Court upon the Objection of Ralph Roberts Realty, LLC and Ralph R. Roberts to Claim No. 20 of Dorotha Roberts (the “Objection”); Notice of the Objection having been provided to all parties in interest; no objections or responses thereto having been timely served; and the Court being otherwise fully advised in the premises;

IT IS HEREBY ORDERED that the Objection to claim number 20 of Dorotha Roberts is granted.

IT IS FURTHER ORDERED that claim number 20 of Dorotha Roberts is disallowed in its entirety.

EXHIBIT 1

¹ This case is jointly administered with the case of Ralph R. Roberts, Case No. 12-53024.

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

In re:) Chapter 11
)
RALPH ROBERTS REALTY, LLC (TIN: 20-2660635, and) Case No. 12-53023
RALPH R. ROBERTS (SSN: XXX-XX-1695))
12900 Hall Rd., Suite 190) Jointly Administered
Sterling Heights, MI 48313)
) Judge Thomas J. Tucker
Debtors.)
)

NOTICE OF OBJECTION TO CLAIM NO. 20 OF DOROTHA ROBERTS

Ralph Roberts Realty, LLC and Ralph R. Roberts (the "Debtors"), by and through their counsel, Gold, Lange & Majoros, P.C., have filed an objection to claim number 20 of Dorothea Roberts in these jointly administered bankruptcy cases.

Your claims may be reduced, modified, or denied. You should read these papers carefully and discuss them with your attorney if you have one in this bankruptcy case. (If you do not have an attorney, you may wish to consult one.)

If you do not want the Court to deny or change your claim, then or before **March 13, 2013**, you or your attorney must:

1. File with the Court a written response to the objection, explaining your position at:

Clerk of the Court
U.S. Bankruptcy Court
211 West Fort Street
Detroit, Michigan 48226

If you mail your response to the Court for filing, you must mail it early enough so the Court will **receive** it on or before the date stated above. All attorneys are required to file pleadings electronically.

You must also mail a copy to:

Hannah Mufson McCollum, Esq.
Gold, Lange & Majoros, P.C.
24901 Northwestern Hwy., Ste. 444
Southfield, MI 48075

EXHIBIT 2

2. Attend the hearing on the Objection, scheduled to be held on **March 20, 2013**, at **11:00 a.m.**, 211 West Fort Street, Detroit, Michigan, 48226, unless your attendance is excused by mutual agreement between yourself and the objector's attorney. (Unless the matter is disposed of summarily as a matter of law, the hearing shall be a pre-trial conference only; neither testimony nor other evidence will be received. A pre-trial scheduling order may be issued as a result of the pre-trial conference.)

If you or your attorney does not take these steps, the Court may decide that you do not oppose the objection to your claim, in which event the hearing will be canceled and the objection sustained.

Respectfully Submitted,

GOLD, LANGE & MAJOROS, P.C.

Dated: February 11, 2013

/s/ Hannah Mufson McCollum
HANNAH MUFSON McCOLLUM (P67171)
Attorney for the Debtors
24901 Northwestern Highway, Suite 444
Southfield, Michigan 48075
Phone: (248) 350-8220
Fax: (248) 350-0519
Email: hmccollum@glmpc.com

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CERTIFICATE OF SERVICE

I hereby certify that on February 11, 2013, I electronically filed 1) *Objection to Claim No. 20 of Dorothea Roberts*, 2) *Proposed Order Granting 1) Objection to Claim No. 20 of Dorothea Roberts*, 3) *Notice of 1) Objection to Claim No. 20 of Dorothea Roberts*; and 4) *Certificate of Service* with the Clerk of the Court using the ECF system which will send notification of such filing to the following:

Ian S. Bolton on behalf of Defendant 1836 Brys, LLC
isb@maddinhauser.com, nma@maddinhauser.com

Kelley Callard on behalf of U.S. Trustee Daniel McDermott
Kelley.Callard@usdoj.gov

Kassem Dakhallallah on behalf of Defendant Jerone Turner
kassem@jaafarandmahdi.com, kassemdakhallallah@aol.com

Gerald L. Decker on behalf of Defendant Roger Roberts
gldeckerlaw@aol.com

Michael P. DiLaura on behalf of Debtor In Possession Ralph Roberts Realty, LLC.
miked@mikedlaw.com

Richard D. Fessler on behalf of Defendant Deborah Bjorkley
AmericanBankruptcy@ameritech.net, swainannie@aol.com

Stuart A. Gold
stuart.gold@7trustee.net, MI33@ecfbis.com

Stuart A. Gold on behalf of Debtor In Possession Ralph Roberts
sgold@glmpc.com

EXHIBIT 4

¹ This case is jointly administered with the case of Ralph R. Roberts, Case No. 12-53024.

Christopher A. Grosman on behalf of Creditor Committee Official Committee of Unsecured Creditors

BRCY@CarsonFischer.com, cgrosman@carsonfischer.com

Paul R. Hage on behalf of Interested Party Jaffe Raitt Heuer & Weiss, P.C.

phage@jaffelaw.com, jtravick@jaffelaw.com

Michael P. Hogan on behalf of Creditor Ally Financial, Inc.

ecf@kaalaw.com

Sherry Katz-Hedrington on behalf of Defendant Manaia Capital Management, Inc.

corplegalserv@aol.com, shedrington@cstmlaw.com

John C. Lange on behalf of Debtor In Possession Ralph Roberts Realty, LLC.

jlange@glmpc.com

Michael S. Leib on behalf of Defendant 1836 Brys, LLC

msl@maddinhauser.com, bac@maddinhauser.com

Jack J. Mazzara on behalf of Creditor The Mazzara Law Firm, PLLC

jjm@mazzaralaw.com, mds@mazzaralaw.com; mkk@mazzaralaw.com

Hannah Mufson McCollum on behalf of Debtor In Possession Ralph Roberts Realty, LLC.

hmccollum@glmpc.com, dlynch@glmpc.com

A. Stephen Ramadan on behalf of Creditor Bryan Legree

stevearamadan@gmail.com

Jonathan Sriro on behalf of Defendant Deborah "Bunni" Monti

jsriro@lgpclaw.com

Alan J. Taylor on behalf of Creditor Sterling Limited Partnership

alan.taylor@kitch.com, michael.vogt@kitch.com, nancy.bowen@kitch.com

Marc E. Thomas on behalf of Creditor Audrey Ferris

marc@bendurethomaslaw.com, marcethomas@msn.com

Robert A. Weisberg on behalf of Creditor Committee Official Committee of Unsecured Creditors

BRCY@CARSONFISCHER.COM, rweisberg@carsonfischer.com

Donna K. Welch on behalf of Creditor State of Michigan, Dept of Licensing & Regulatory Affairs, Unemployment Insurance Agency

welchd@michigan.gov

and I also hereby certify that on February 11, 2013, I mailed by First Class U.S. Mail with the United States Postal Service *1) Objection to Claim No. 20 of Dorothea Roberts, 2) Proposed Order Granting 1) Objection to Claim No. 20 of Dorothea Roberts, 3) Notice of 1) Objection to Claim No. 20 of Dorothea Roberts; and 4) Certificate of Service* to the following non-ECF participant:

Dorothea Roberts
36311 Genuine Risk Ct.
Clinton Twp., MI 48035

GOLD, LANGE & MAJOROS, P.C.

/s/ Hannah Mufson McCollum
HANNAH MUFSON MCCOLLUM
Attorney for the Debtors
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